

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KURTIS C. WATKINS,)
)
Petitioner,)
)
v.) Case No. 4:25-CV-00015-RHH
)
KELLY MORRISS,)
)
Respondent.)

Consent Motion for Extension of Time to File a Response to this Court's Show Cause Order (Doc. 4) and to Respond to Petitioner's First Motion for Leave to Conduct Discovery (Doc. 6).

Respondent states as follows in support of this consent motion for extension of time in which to respond to this Court's show cause order, Doc. 4, and to Petitioner Kurtis C. Watkins's first motion for leave to conduct discovery, Doc. 6:

1. On March 10, 2025, this Court issued a case management order directing Respondent to show cause why the relief requested by Petitioner should not be granted. Doc. 4 at 1.
2. Under that order, Respondent's response to Petitioner's petition is due on or before April 24, 2025. See Doc. 4 at 1.
3. On March 11, 2025, Petitioner filed a motion requesting leave to conduct discovery. Doc. 6.

4. Respondent requested and received an extension of time to file a response to Petitioner's motion for leave to conduct discovery. This Court ordered Respondent to file a response to that motion on April 24, 2025, which is the day Respondent's response to the show cause order is due.

5. While undersigned counsel has completed a substantial portion of both responses, the responses are not yet complete. A short four-day extension is necessary to finalize the responses and to complete the editing process.

6. Undersigned counsel's work on the responses has been delayed by obligations related to: taking a deposition, *O'Neal v. Adams*, 22SF-CC00192 (St. Francois Cnty. Cir. Ct.) (deposition to be held on April 24, 2025); arguing a case before the Missouri Supreme Court, *In re: Branson v. Buckner*, SC100870 (Mo.) (argument held on April 15, 2025); preparing a brief in an extraordinary writ proceeding before the Missouri Court of Appeals, *State ex rel. Bailey v. Hon. Preyer*, SD38866 (Mo. App.) (Relator's brief filed on April 7, 2025); drafting suggestions in opposition in a capital federal habeas proceeding concerning a matter of first impression in this circuit, *McFadden v. Strange*, 4:18-CV-01559-AGF (E.D. Mo.) (response filed April 4, 2025 to claim that 28 U.S.C. § 2254(d) of the federal habeas statute is unconstitutional); conducting a post-conviction hearing related to a first-degree murder conviction, *Addie v. State*, 23AC-CC00974 (Cole Cnty. Cir. Ct.) (hearing held on March 19, 2025);

preparing for and conducting the consolidated preliminary hearing for three criminal cases related to the 2018 sinking of a Duck Boat on Table Rock Lake, *see, e.g., State v. McKee*, 22SN-CR00295 (Stone Cnty. Cir. Ct.) (two-day hearing held beginning on March 12, 2025); an unforeseen project with an expedited timeline concerning a potential state legislative enactment; and administrative duties related to undersigned counsel's supervisory responsibilities. Undersigned counsel's work has been further delayed by an unexpected illness.

7. The requested extension is made in good faith and is not designed to vex or harass Petitioner. Petitioner's substantive rights should not be adversely affected.

8. Undersigned counsel contacted counsel for Petitioner and Petitioner does not oppose the extension request.

For these reasons, Respondent respectfully requests that this Court grant this consent motion for an extension of time to file a response to this Court's show cause order and a response to Petitioner's motion for leave to conduct discovery and order that both Respondent's responses be filed on or before April 28, 2025.

Respectfully submitted,

ANDREW BAILEY
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/s/ Andrew J. Clarke

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing, and any attached exhibit, was electronically filed using the CM/ECF system on April 24, 2025. All counsel of record should receive service by operation of the CM/ECF system.

/s/ Andrew J. Clarke

ANDREW J. CLARKE